



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:14-CR-399-KJD-(GWF)

Plaintiff,

) Preliminary Order of Forfeiture

v.)

ALAN W. RODRIGUES,

Defendant.

This Court finds that defendant Alan W. Rodrigues pled guilty to Counts One through Thirty-Eight of a Thirty-Eight-Count Indictment charging him in Count One with Conspiracy in violation of Title 18, United States Code, Sections 1343 and 1349; in Counts Two through Thirty-Two with Wire Fraud in violation of Title 18, United States Code, Section 1343; and in Counts Thirty-Three through Thirty-Eight with Money Laundering in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i). Indictment, ECF No. 1; Change of Plea, ECF No. 34; Plea Agreement, ECF No. 35.

This Court finds defendant Alan W. Rodrigues agreed to the imposition of the in personam criminal forfeiture money judgment of \$631,142.06 set forth in Section X of the Plea Agreement. Change of Plea, ECF No. 34; Plea Agreement, ECF No. 35.

The in personam criminal forfeiture money judgment is (1) any property, real or personal, involved in transactions or attempted transactions in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i); (2) any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Sections 1343 and

1 1956(a)(1)(A)(i), specified unlawful activities as defined in Title 18, United States Code,
2 Sections 1956(c)(7)(A) and 1961(1)(B), or Title 18, United States Code, Section 1349,
3 conspiracy to commit such offense; (3) any property, real or personal, involved in violations of
4 Title 18, United States Code, Section 1956(a)(1)(A)(i), or any property traceable to such
5 property; and (4) any real or personal property constituting, derived from, or traceable to the
6 gross proceeds obtained directly or indirectly as a result of violations of Title 18, United States
7 Code, Section 1343, or of Title 18, United States Code, Section 1349, conspiracy to commit
8 such offense, and is subject to forfeiture pursuant to Title 18, United States Code, Section
9 981(a)(1)(A) and 981(a)(1)(C) with Title 28, United States Code, Section 2461(c); Title 18,
10 United States Code, Section 982(a)(1) and 982(a)(8)(B); and Title 21, United States Code,
11 Section 853(p); and if as a result of any act or omission of the defendant, the property -
12 a. cannot be located upon the exercise of due diligence;
13 b. has been transferred or sold to, or deposited with, a third party;
14 c. has been placed beyond the jurisdiction of the court;
15 d. has been substantially diminished in value; or
16 e. has been commingled with other property which cannot be divided without
17 difficulty;

18 it is the intent of the United States of America, pursuant to Title 21, United States Code, Section
19 853(p), to seek forfeiture of any properties of the defendant for the in personam criminal
20 forfeiture money judgment of \$631,142.06.

21 This Court finds that Alan W. Rodrigues shall pay an in personam criminal forfeiture
22 money judgment of \$631,142.06 to the United States of America, pursuant to Fed. R. Crim. P.
23 32.2(b)(1) and (2); Title 18, United States Code, Section 981(a)(1)(A) and 981(a)(1)(C) with
24 Title 28, United States Code, Section 2461(c); Title 18, United States Code, Section 982(a)(1)
25 and 982(a)(8)(B); and Title 21, United States Code, Section 853(p).

26 ///

The in personam criminal forfeiture money judgment complies with *Honeycutt v. United States*, ___ U.S. ___, 137 S. Ct. 1626 (2017).

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States recover from Alan W. Rodrigues an in personam criminal forfeiture money judgment of \$631,142.06.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of this Order to all counsel of record and three certified copies to the United States Attorney's Office, Attention Asset Forfeiture Unit.

DATED this 1 day of May, 2018.


KURT D. JOHNSON